



032204

22763 U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	P2166US
First Inventor	James R. ROSSEAU
Title	SPORTS EQUIPMENT CONDITIONING APPARATUS
Express Mail Label No.	EU905097677US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION ELEMENTS

1. ☒ Utility Patent Application Transmittal Form
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification (including claims and abstract) [Total Pages 14]
4. ☒ Drawings [Total Sheets 11]
5. ☒ Combined Declaration and Power of Attorney [Total Pages 3]
 - a. ☒ Newly executed
 - b. ☐ Copy from prior application [Note Box 6 below]
 - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
6. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference.
7. ☒ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
9. Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper Copy
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☐ Applicant requests early publication. (include publication fee under 37 CFR 1.18(d))
11. ☐ Assignment Papers (cover sheet and document(s))
12. ☐ 37 CFR 3.73(b) Statement (when there is an Assignee)
13. ☐ Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☒ Information Disclosure Statement (IDS)
 - ☒ Form PTO-1449
 - ☒ Copies of Listed Documents
16. ☐ Preliminary Amendment
17. ☒ Return Receipt Postcard (Should be specifically itemized)
18. ☐ Claim of Priority & Certified Copy of Priority Document(s)
19. ☒ Request & Certification Under 35 USC 122(b)(2)(B)(i) (Form PTO/SB/35 or its equivalent must be submitted with this application to prevent publication at 18 months)
20. ☒ Other: Filing Fee

21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below:

☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application no. _____
Prior application information: Examiner _____ ; Group Art Unit: _____

APPLICATION FEES

BASIC FEE				\$770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	34 -20=	14	x \$18.00	\$252.00
Independent Claims	3 - 3=	0	x \$86.00	\$0.00
<input type="checkbox"/> Multiple Dependent Claim if applicable			+ \$290.00	\$
Total of above calculations =				\$1,022.00
Reduction by 50% for filing by small entity =				\$(511.00)
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
<input type="checkbox"/> Early publication fee if applicable			+ \$300.00	\$
TOTAL =				\$511.00

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032204

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. P2166US

22. ☐ Please charge my Deposit Account No. 07-0181 in the amount of \$
23. ☒ A check in the amount of \$511.00 is enclosed.
24. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 07-0181:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
25. ☒ The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 07-0181 for any fee that may be due in connection with such a request for an extension of time.

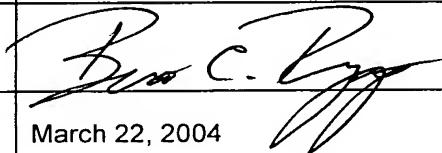
26. CORRESPONDENCE ADDRESS

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Name Brian C. Rupp, Registration No. 35,665

Signature





Date

March 22, 2004

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that this Utility Patent Application Transmittal and all documents referred to as being attached or enclosed are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

		March 22, 2004
Name of Person Signing	Signature	Date

CH02/22299589.1

**EXPRESS MAILING CERTIFICATE
UNDER 37 CFR § 1.10**

Date of Deposit: March 22, 2004

"Express Mail" Mailing Number: EU905097677US

I hereby certify that the attached correspondence, including any documents or materials referred to thereon as enclosures or attachments, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Title: SPORTS EQUIPMENT CONDITIONING APPARATUS

Applicant(s): Rosseau et al.

Application No.: Unassigned

Filing Date: March 22, 2004

Enclosed:

1. Utility Patent Application Transmittal (2 pgs) and duplicate thereof (2 pgs)
2. Application Data Sheet (3 pgs)
3. Executed Combined Declaration and Power of Attorney (3 pgs)
4. Patent Application comprising: Specification (10 pgs); Claims (3 pgs); Abstract (1 pg); Eleven (11) Sheets of Drawings (Figs. 1-15; 11 pgs)
5. Information Disclosure Statement (4 pgs) and duplicate thereof (4 pgs)
6. 1449 Form (1 pg)
7. Copies of Eight (8) Cited References (AA-AH)
8. Request & Certification Under 35 USC 122(b)(2)(B)(i) (1 pg)
9. Check in the amount of \$511.00
10. Return postcard


Typed or Printed Name


Signature

Attorney Docket No. **P2166US**
Client No. 078195-0004
CH02/22299729.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:


Rosseau et al.

For: **SPORTS EQUIPMENT
CONDITIONING APPARATUS**

REQUEST AND CERTIFICATION UNDER 35 USC 122 (b)(2)(B)(i)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

The undersigned hereby certifies that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Pursuant to 37 CFR 1.213, the applicant hereby requests that the attached application not be published under 35 USC 122(b).



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Date: March 22, 2004